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ABSTRACT

The Indiana College-Level Manpower Study is being conducted by the Indiana Commission for Higher Education to provide manpower information of value to planning at the postsecondary level. Factors involving both manpower supply and demand are being investigated. This report deals with a survey assessing the demand for legal assistants in Indiana. Of the 887 firms surveyed, 504 usable returns were received. Analysis of the survey revealed numbers of full-time legal secretaries and legal assistants employed by size of firm; views toward the statement "a good legal secretary can do about anything a legal assistant can do"; views on the effect of hiring assistants on the number of employment opportunities of law school graduates; benefits of utilizing legal assistants by size of firm; preferred education and training backgrounds for legal assistants; activities of legal assistants; and anticipated starting salaries of legal assistants by size of firm. (JMF)

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DEMAND FOR LEGAL ASSISTANTS IN INDIANA

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INDIANA COLLEGE-LEVEL MANPOWER STUDY

Report Number Six

Indiana Commission for Higher Education

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INDIANA COLLEGE-LEVEL MANPOWER STUDY

Report Number Six

THE DEMAND FOR LEGAL ASSISTANTS IN INDIANA

by

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and

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June, 1976

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3. *Educational Plans and Career Choices of Bachelor's Degree Recipients in Indiana*, November, 1975.

4. *Educational Plans and Career Choices of Associate Degree Recipients in Indiana*, December, 1975.

5. *Employability of College Graduates in Indiana Business and Industry*, February, 1976.

6. *The Demand for Legal Assistants in Indiana*, June, 1976.

PREFACE

The Indiana College-Level Manpower Study is being conducted by the Indiana Commission for Higher Education to provide manpower information of value to planning at the postsecondary level. Factors involving both manpower supply and demand are being investigated, and educational and occupational areas in which major supply/demand imbalances exist will be determined.

This report deals with a survey assessing the demand for legal assistants in Indiana. It was determined that such a study would be of value after discussing the topic with a number of individuals knowledgeable in the area and after conducting a review of related literature.

We would like to thank the Indiana Bar Association for its help at various points in the conducting of the study. Thanks are also owed to the many representatives of the Indiana law firms who took the time and effort to complete the study's questionnaire.

The Indiana College-Level Manpower Study is being conducted at the Commission through a grant from the Lilly Endowment. The Commission wishes to express its appreciation to the Lilly Endowment for this support. The views expressed in this report are those of the authors and not of the Endowment.

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HIGHLIGHTS

*Two-thirds of the law firms participating in this study indicated that they would consider hiring a legal assistant if such a person were available, or were undecided concerning this matter.

*Of the 59 firms which had already employed a legal assistant, nearly two-thirds had found the utilization of legal assistants to be a "highly beneficial" practice.

*Of the firms employing legal assistants, small-sized firms as well as large ones had recognized benefits from the employment of legal assistants.

*Regarding preferences concerning college degrees for legal assistants, 54 percent viewed a bachelor's degree in legal assisting as being "highly desirable," 43 percent viewed an associate degree in legal assisting as "highly desirable," and 42 percent offered this rating for a post-baccalaureate degree in legal assisting.

*Two-thirds of the respondents agreed with a statement to the effect that "effective use of legal assistants reduces the cost of legal services."

*The level of demand for legal assistants in Indiana indicates the capacity for additional legal assisting degree programs in the state.

INTRODUCTION

The importance of the emerging occupation of legal assistant is being widely discussed by the legal profession and within colleges and universities. This study was undertaken because of the lack of information concerning the need for legal assistants and the apparent lack of postsecondary programs to meet a potentially large demand from students and employers in Indiana.

The American Bar Association's Special Committee on Legal Assistants has offered the following definition:

> Under the supervision and direction of the lawyer, the legal assistant should be able to apply knowledge of law and legal procedures in rendering direct assistance to lawyers engaged in legal research; design, develop, or plan modifications of new procedures, techniques, services, processes or applications; prepare or interpret legal documents and write detailed procedures for practicing in certain fields of law; select, compile, and use technical information from such references as digests, encyclopedias, or practice manuals; and analyze and follow procedural problems that involve independent decisions.[1]

This definition is task-oriented, describing the legal assistant by citing what he or she does. There is little evidence that legal assistants currently or in the future should perform those tasks contained within the definition.

The legal assistant is generally acknowledged to perform tasks related to the practice of law which lie somewhere on a continuum of responsibility and training between those of the legal secretary and the lawyer. The tasks performed by the legal assistant depend primarily upon the education and training of the person, the preferences and attitudes of the employer, and the nature of the business. The occupation is, therefore, difficult to define in terms of the tasks performed.

Because recognition of the occupation of legal assistant is quite new, employment needs in the area are not easily assessed. Some lawyers claim that

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1. ABA Special Committee on Legal Assistants, The Training and Use of Legal Assistants: A Status Report, p. 17.

the duties of a legal assistant do not extend beyond those of a well-trained legal secretary while others contend that effective use of legal assistants will relieve the lawyer of numerous routine tasks beyond legal secretarial duties and, in doing so, will reduce the costs of legal services. Many law firms are waiting to see the direction the occupation will take before making decisions concerning the hiring of legal assistants, and few studies assessing the need for personnel in the occupation have been conducted.

Even if an overall number of legal assistants who could be employed were known, it would still be difficult to relate this number to education and training programs. Some lawyers prefer to train their own legal assistants, frequently by upgrading the skills of a legal secretary. Others might prefer graduates of college programs in legal assisting at the associate, baccalaureate, or post-baccalaureate levels, depending upon the nature of the tasks to be performed. Because of this variety of employers' preferences, an overall number representing demand for legal assistants must still be related to levels of education to be meaningful in educational planning.

Nationwide, many educational programs in legal assisting have been implemented in recent years. In October, 1975, the American Bar Association listed more than 150 institutions offering legal assistant education programs, most of them located in junior or community colleges. The State of Indiana has two degree programs in legal assisting, each of which began in the fall of the 1975-76 academic year and neither of which has produced graduates as yet. Indiana Central University offers an associate degree in legal assisting and the University of Evansville offers an associate degree in legal assisting and a bachelor's degree in legal administration.

* * * * *

METHODOLOGY

Representatives of the Indiana Bar Association and law school administrators were consulted and they expressed support and aided in the conduct of this study. Even those who indicated doubt that there was a real demand for graduates of degree programs in legal assisting stated that a study of such demand could serve to limit the possible proliferation of programs in legal assisting.

While conducting a review of the limited literature related to the demand for and training of legal assistants, it became apparent that a number of concerns in addition to the demand for legal assistants should be studied. Among those were the degree to which firms currently employing legal assistants found this practice beneficial, the salary a beginning legal assistant might expect to receive, the most important job activities of a legal assistant, and the most important characteristics contributing to the employability of a legal assistant. A questionnaire (see Appendix A) was developed for distribution to Indiana's law firms.

The Indiana Bar Association provided a listing of Indiana law firms. There were approximately 900 such firms, and a copy of the questionnaire was sent to each firm.

* * * * *

FINDINGS

A total of 511 responses to the mailings delivered to 887 firms were returned, representing a response rate of 58.7 percent. Seven of the respondents' questionnaires were inadequately or incorrectly completed, leaving a total of 504 usable returns. Table 1 depicts the usable responses to the questionnaire, considered by the size of the responding law firm.

TABLE 1: SURVEY RESPONDENTS, BY SIZE OF LAW FIRM

Number of Lawyers	Number of Firms Responding	Percent of Firms Responding
1-2	207	41.1%
3-5	214	42.5
6 or more	80	15.8
Unidentifiable	3	0.6
Total	504	100.0

Table 1 represents the size groupings of the law firms responding to the questionnaire. Most law firms in the state appear to be of small or moderate size with approximately forty percent of the responses from firms of one or two lawyers, and about forty percent more from firms of three to five lawyers. (The returns also indicated that, among the eighty firms including six or more lawyers, fewer than twenty percent had more than ten lawyers.)

* * * * *

There was no available information concerning the degree to which Indiana law firms are currently employing legal assistants. In order to avoid confusion, this question was investigated by asking the respondents how many a) full-time legal secretaries, b) full-time legal assistants, and c) full-time personnel who combined the duties of these two occupations, were represented in their firm. The responses to this question are reported in Table 2.

TABLE 2: NUMBERS OF FULL-TIME LEGAL SECRETARIES AND LEGAL ASSISTANTS EMPLOYED, BY SIZE OF FIRM

	Size of Firm							
	1-2 lawyers		3-5 lawyers		6 or more lawyers		All Firms	
	n	%	n	%	n	%	n	%
Legal secretaries								
0	14	6.8%	8	3.7%	1	1.2%	23	4.6%
1	102	49.3	26	12.1	0	0.0	128	25.4
2-3	87	42.0	131	61.2	11	13.4	220	45.5
4-6	4	1.9	48	22.4	39	47.6	91	18.1
Over 7	0	0.0	1	0.5	31	37.8	32	6.4
Total	207	100.0	214	100.0	82	100.0	503	100.0
Legal assistants								
0	197	95.2	190	88.8	53	64.6	440	87.5
1	8	3.9	23	10.7	17	20.7	48	9.5
2	1	0.5	1	0.5	6	7.3	8	1.6
More than 2	1	0.5	0	0.0	6	7.3	7	1.4
Total	207	100.0	214	100.0	82	100.0	503	100.0
Combination of sec'y & leg.ass't								
0	189	91.3	173	83.2	65	79.2	432	85.9
1	13	6.3	18	8.4	9	11.0	40	8.0
2	4	1.9	11	5.1	3	3.7	18	3.6
More than 2	1	0.5	7	3.3	5	6.1	13	2.6
Total	207	100.0	214	100.0	82	100.0	503	100.0

Table 2 represents the numbers of legal secretaries, legal assistants, and persons working in the combined duties of these two occupations, employed by the respondents' law firms. As might be expected, 95 percent of the firms reported that they employed at least one person who functioned as a full-time legal secretary. However, only a little over twelve percent of the firms employed full-time legal assistants, while an additional fourteen percent reported that they employed at least one person who combined the duties of the two occupations. The larger the law office, the greater was the tendency to hire legal assistants, so that among firms of 1-2 lawyers only five percent had a legal assistant, while over one third of the firms with six or more lawyers reported employing a full-time legal assistant.

* * * * *

The respondents were asked whether they agreed or disagreed with a number of statements related to the employment of legal assistants. The responses to these questions are presented in Tables 3-6, by whether or not the responding firm currently employs a legal assistant.

TABLE 3: VIEWS TOWARD THE STATEMENT "A GOOD LEGAL SECRETARY CAN DO ABOUT ANYTHING A LEGAL ASSISTANT CAN DO."

Type of Firm	Strongly Agree		Agree		Disagree		Strongly Disagree	
	n	%	n	%	n	%	n	%
Firms employing legal assistant	9	14.5%	19	30.6%	27	43.5%	7	11.3%
Firms not employing legal assistant	76	17.6	158	36.5	181	41.8	18	4.2
Total	85	17.2	177	35.8	208	42.0	25	5.1

In general, about half of the firms were in agreement with a statement to the effect that a good legal secretary can do about anything a legal assistant can do. Such a response indicates widespread doubt on the part of many lawyers about the increased value of legal assistants over that of well-trained legal secretaries.

It is noteworthy that there appeared to be a tendency for more firms employing legal assistants to disagree with a statement to such an effect than among those not employing them but this difference was not statistically significant.

* * * * *

TABLE 4: VIEWS TOWARD THE STATEMENT "HIRING OF LEGAL ASSISTANTS WILL RESULT IN FEWER EMPLOYMENT OPPORTUNITIES FOR NEW LAW SCHOOL GRADUATES."

Type of Firm	Strongly Agree		Agree		Disagree		Strongly Disagree	
	n	%	n	%	n	%	n	%
Firms employing legal assistant	4	6.3%	23	36.5%	30	47.6%	6	9.5%
Firms not employing legal assistant	48	11.3	213	50.0	147	34.5	18	4.2
Total	52	10.6	236	48.3	177	36.2	24	4.9

Nearly sixty percent of the respondents felt that hiring of legal assistants will result in fewer employment opportunities for new law school graduates. The data of Table 4 indicate that law firms employing legal assistants have significantly less of a tendency to agree with such a statement, but even among these firms, 43 percent of the respondents did agree that job openings for new lawyers would be reduced. The growth of this new occupation could serve to increase the already serious problems faced by young lawyers as they seek their first jobs in private law firms. Clearly, most respondents felt that there was some overlap in the duties performed by legal assistants and new law degree recipients and that this overlap could result in fewer openings for beginning legal practitioners.

* * * * *

TABLE 5: VIEWS TOWARD THE STATEMENT "MANY MORE LAW FIRMS WILL BE USING LEGAL ASSISTANTS IN THE NEXT FEW YEARS."

Type of Firm	Strongly Agree n	%	Agree n	%	Disagree n	%	Strongly Disagree n	%
Firms employing legal assistant	20	32.3%	39	62.9%	3	4.8%	0	0.0%
Firms not employing legal assistant	61	14.7	269	65.0	78	18.8	6	1.4
Total	81	17.0	308	64.7	81	17.0	6	1.3

There is little doubt that the respondents viewed the occupation of legal assistant as a rapidly growing one. Seventeen percent were in strong agreement with a statement to the effect that many more law firms will soon be employing legal assistants, and an additional 65 percent expressed agreement with such a statement. It should also be noted that those firms currently employing legal assistants felt even more strongly than those not employing them that this is a rapidly growing occupation.

* * * * *

TABLE 6: VIEWS TOWARD THE STATEMENT "EFFECTIVE USE OF LEGAL ASSISTANTS REDUCES THE COST OF LEGAL SERVICES."

Type of Firm	Strongly Agree n	%	Agree n	%	Agree n	%	Strongly Disagree n	%
Firms employing legal assistants	22	35.5%	35	56.5%	4	6.5%	1	1.6%
Firms not employing legal assistants	44	10.9	208	51.6	128	31.8	23	5.7
Total	66	14.2	243	52.3	132	28.4	24	5.2

The data of Table 6 clearly indicate that a majority of the law firms agreed with the belief that effective use of legal assistants can reduce the cost of legal services. This belief was more frequently and more strongly held by the respondents from firms which already employed legal assistants, as over one third of these respondents expressed strong agreement with such a statement, and only eight percent indicated disagreement. It would appear that legal assistants can be a means of reducing the cost of legal services.

* * * * *

The respondents from firms which do not currently employ a full-time legal assistant were asked whether they would consider hiring a legal assistant if an appropriately trained person were available. The responses to this question are presented in Table 7.

TABLE 7: FIRMS WHICH WOULD CONSIDER HIRING LEGAL ASSISTANT, BY SIZE OF FIRM

	Size of Firm							
	1-2 lawyers		3-5 lawyers		6+ lawyers		Total	
Response	n	%	n	%	n	%	n	%
Would consider	68	35.2%	69	37.1%	29	54.7%	166	38.4%
Undecided	54	28.0	57	30.6	11	20.8	122	28.2
Would not consider*	71	36.8	60	32.3	13	24.5	144	33.3

*Those responding that they would not consider employing a legal assistant were informed that they had completed the questionnaire. Subsequent tables, with the exception of Table 13, will not include these 144 respondents.

Approximately forty percent of the respondents indicated that they would consider hiring a legal assistant if an adequately trained person were available, while an additional 28 percent were undecided in this regard. One third of the respondents were definitely not interested and would not consider

hiring a legal assistant. It should also be noted that there was a more positive tendency toward considering the hiring of a legal assistant among larger firms than among the smaller.

Since these responses represent the companies which do not currently employ legal assistants it is apparent that there is a considerable interest among Indiana law firms in the occupation of legal assistant, but that many remain undecided as to whether their firm would profit from employing such a person.

* * * * *

The respondents from firms which currently employ legal assistants were asked the degree to which they felt the utilization of these people had been of advantage to the company. The responses to this question are reported in Table 8. Because so few law firms in Indiana currently employ legal assistants, the number of respondents to this question was necessarily low.

TABLE 8: BENEFIT OF UTILIZING LEGAL ASSISTANTS, BY SIZE OF FIRM

	Size of Firm							
	1-2 lawyers		3-5 lawyers		6+ lawyers		Total	
Benefit	n	%	n	%	n	%	n	%
Highly beneficial	7	77.8%	15	68.2%	16	57.1%	38	64.4%
Beneficial	2	22.2	7	31.8	11	39.3	20	33.9
Not beneficial	0	0.0	0	0.0	1	3.6	1	1.7

It is apparent from the data of Table 8 that nearly all of the firms employing legal assistants have found their services to be beneficial to the firm, with nearly two-thirds finding these services to be "highly

beneficial." It is of particular interest that the size of the firm did not affect the responses from the different size groupings to a statistically significant level but it appeared that, if there was a difference, legal assistants were viewed as being most beneficial by respondents from small-sized firms. This contradicts the view of many practitioners that this occupation is only of major importance to large-sized firms.

* * * * *

In considering manpower demand for an occupation it is important to know not only the number of people who might be employed in the occupation, but also the types of education and training considered most desirable by potential employers. For this reason the respondents were asked to rank the desirability of a number of education and training backgrounds for people seeking employment with their firm as legal assistants. The responses to this question are presented in Table 9.

TABLE 9: PREFERRED EDUCATION AND TRAINING BACKGROUNDS FOR LEGAL ASSISTANTS

Education/Training Program	Highly desirable		Desirable		Would consider; not desirable		Would not be hired	
	n	%	n	%	n	%	n	%
High school graduate	28	8.5%	44	13.4%	93	28.4%	163	49.7%
Legal secretary	52	15.7	130	39.2	114	34.3	36	10.8
Assoc. degree (not legal assisting)	26	8.0	108	33.3	140	43.2	50	15.4
Assoc. degree in legal assisting	142	42.6	148	44.4	35	10.5	8	2.4
Bach. degree (not legal assisting)	32	9.8	134	41.0	116	35.5	45	13.8
Bach. degree in legal assisting	178	53.9	81	24.5	49	14.8	22	6.7
Post-bach. degree in legal assisting	136	41.6	105	32.1	55	16.8	31	9.5

The respondents definitely were most receptive to graduates of programs, either at the associate, bachelor's or post-baccalaureate level, directly related to the training of individuals as legal assistants. Rather than hire graduates of generalist degree programs who might require more on-the-job training, law firms expressed a preference for hiring the recipients of degrees in legal assisting programs.

The level of degree preferred by the respondents varied widely, with a majority indicating a bachelor's in legal assisting to be highly desirable, 43 percent viewing the associate degree, and 42 percent a post-baccalaureate degree to be highly desirable. The wide variety of education and training backgrounds considered to be desirable is indicative of the fact that there is very little agreement as to the nature of the occupation and the requirements of legal assistants among Indiana's lawyers.

* * * * *

There has been a great deal of debate concerning what are and what should be the activities of a legal assistant. We were concerned with the views of Indiana's law firms concerning this problem. A list of potential activities of legal assistants developed by the American Bar Association was adopted for use in this survey and respondents were asked to estimate the potential importance of each activity for a legal assistant with their firm.

Analysis of differences between law firms which do and do not currently employ legal assistants was also of interest regarding this question. Such an analysis provides a better picture of how the expectations of those not employing legal assistants compared with the actual experiences of those who do employ them. The responses to this question are presented in Table 10.

TABLE 10: ACTIVITIES OF LEGAL ASSISTANTS

Type of Activity	Employers of Legal Assistants								Non-Employers of Legal Assistants							
	High importance		Moderate importance		Low importance		Would not perform		High importance		Moderate importance		Low importance		Would not perform	
	n	%	n	%	n	%	n	%	n	%	n	%	n	%	n	%
Type	16	27.1	14	23.7	16	27.1	13	22.0	101	36.7	76	27.6	53	19.3	45	16.4
Maintain law library	11	19.0	18	31.0	13	22.4	16	27.6	107	37.9	93	33.0	52	18.4	30	10.6
Notify clients of actions taken	22	37.9	26	44.8	7	12.1	3	5.2	95	33.8	104	37.0	34	12.1	48	17.1
Do office filing	8	13.6	10	16.9	18	30.5	23	39.0	45	16.0	53	18.8	86	30.5	98	34.8
Prepare briefs and pleadings	23	41.1	16	28.6	6	10.7	11	19.6	123	43.3	67	23.6	24	8.5	70	24.6
Docket	23	41.1	20	35.7	9	16.1	4	7.1	134	49.6	90	33.3	27	10.0	19	7.0
Train nonattorney staff	6	10.5	19	33.3	12	21.1	20	35.1	78	27.8	88	31.3	49	17.4	66	23.5
Prepare office memoranda	18	32.1	21	37.5	11	19.6	6	10.7	117	42.1	84	30.2	48	17.3	29	10.4
Operate office machines	10	16.9	11	18.6	25	42.4	13	22.0	61	21.7	66	23.5	109	38.8	45	16.0
Appear for client in court	3	5.3	2	3.5	5	8.8	47	82.8	14	5.0	21	7.5	12	4.3	233	83.2
Search and check public records	38	64.4	15	25.4	4	6.8	2	3.4	199	70.3	68	24.0	7	2.5	9	3.2
Contact client for information	38	64.4	16	27.1	4	6.8	1	1.7	165	57.9	86	30.2	17	6.0	17	6.0
Prepare fee and disbursement statements	12	21.1	11	19.3	9	15.8	25	43.9	48	17.0	83	29.4	54	19.1	97	34.4
Drafts wills, deeds and trusts	17	29.8	16	28.1	2	3.5	22	38.6	63	22.2	71	25.0	19	6.7	131	46.1
Plan installation and operation of office machinery	6	10.3	12	20.7	7	12.1	33	56.9	38	13.7	85	30.7	72	26.0	82	29.6
Prepare probate inventories and inheritance and Federal estate tax returns	42	71.2	13	22.0	1	1.7	3	5.1	140	49.5	83	29.3	19	6.7	41	14.5
Notify clients of approaching deadlines	39	67.2	10	17.2	5	8.6	4	6.9	136	47.9	93	32.7	27	9.5	28	9.9
Serve papers	18	31.6	14	24.6	9	15.8	16	28.1	93	33.1	85	30.2	52	18.5	51	18.1
File motions	26	45.6	16	28.1	3	5.3	12	21.1	122	43.0	96	33.8	22	7.7	44	15.5
Shepardize	28	50.0	16	28.6	5	8.9	7	12.5	157	56.1	77	27.5	19	6.8	27	9.6
Hire and supervise nonattorney staff	6	10.5	8	14.0	9	15.8	34	59.6	37	13.3	57	20.4	50	17.9	135	48.4
Tax work	21	36.2	15	25.9	5	8.6	17	29.3	60	21.7	86	31.2	36	13.0	94	34.1
Compile and select citations	20	34.5	21	36.2	7	12.1	10	17.2	122	43.9	80	28.8	31	11.2	45	16.2
Index documents and prepare digests	30	54.5	15	27.3	6	10.9	4	7.3	117	42.9	89	32.6	38	13.9	29	10.6
Conduct initial interviews with clients	17	30.4	15	26.8	10	17.9	14	25.0	63	22.3	64	22.6	29	10.2	127	44.9
Take dictation	8	13.8	3	5.2	12	20.7	35	60.3	38	13.6	48	17.1	59	21.1	135	48.2
Investigations	31	52.5	18	30.5	3	5.1	7	11.9	174	61.5	91	32.2	10	3.5	8	2.8
Develop and implement office procedures	13	23.6	12	21.8	12	21.8	18	32.7	71	25.4	93	33.3	64	22.9	51	18.3
File papers	14	24.6	16	28.1	10	17.5	17	29.8	102	36.3	49	17.4	61	21.7	69	24.6
Receptionist	0	0.0	4	7.0	6	10.5	47	82.5	22	7.8	17	6.0	41	14.6	201	71.5
Make arrangements for hearings and depositions	32	56.1	13	22.8	4	7.0	8	14.0	131	46.3	96	33.9	30	10.6	26	9.2

The data presented in Table 10 provide material of value in understanding the importance of numerous duties and activities which may be undertaken by legal assistants. In general, there seemed to be agreement on the part of the respondents that legal assistants' most important activities involved types of work which might well require specific training beyond that of the average legal secretary. Such activities included preparing probate inventories and inheritance and Federal estate tax returns, searching and checking public records, indexing documents and preparing digests, conducting investigations, and shepardizing. Some law firms also attributed major importance to activities which might be considered clerical in nature. However, it appears that most of the respondents viewed legal assistants as taking on duties and responsibilities beyond those of clerical personnel.

The data of Table 10 should prove of value to law firms in their utilization of legal assistants and help colleges and universities in developing programs which will best meet the needs of potential employers.

* * * * *

Respondents were asked to indicate their views toward the relative importance of a number of personal factors which might be taken into account in the hiring of an individual as a legal assistant. The findings from this question should be of value in curriculum planning, and also of concern to young people interested in preparing themselves to work as legal assistants. The responses are presented in Table 11.

TABLE 11: IMPORTANCE OF FACTORS TAKEN INTO ACCOUNT IN THE HIRING OF LEGAL ASSISTANTS

Factor	High importance n	%	Moderate importance n	%	Low importance n	%	Of no concern n	%
Ability to understand legal terminology and procedures	305	88.2%	34	9.8%	6	1.7%	1	0.3%
Understanding of the legal process	268	77.5	69	19.9	9	2.6	0	0.0
Writing skills	23[illegible]	68.4	95	27.8	10	2.9	3	0.9
Interest in people	222	64.9	106	31.0	12	3.5	2	0.6
Intent to make career as legal ass't	197	57.1	120	34.8	18	5.2	10	2.9
At least some college or voc. school	[illegible]85	54.3	111	32.6	27	7.9	18	5.3
Interviewing skills	179	52.0	117	34.0	39	11.3	9	2.6
Facility in speaking	163	47.1	154	44.5	25	7.2	4	1.2
Legal secretary experience	64	18.6	125	36.2	95	27.5	61	17.7
Knowledge of bookkeeping	63	18.4	116	33.9	116	33.9	47	13.7
Secretarial skills	63	18.3	114	33.0	104	30.1	64	18.6

The data of Table 11 indicate that there are a number of characteristics which can contribute significantly to the employability of a potential legal assistant. Among those most important are factors relating to the understanding of legal terminology, procedures and processes, and factors such as writing skills, interest in people, the intent to pursue a career as a legal assistant, postsecondary educational training, and interviewing and speaking skills.

The data also provide further evidence that the respondents drew a definite distinction between the legal assistant and the legal secretary. Characteristics such as legal secretarial experience, a knowledge of bookkeeping, and secretarial skills were found to be least important of those listed.

* * * * *

The respondents were asked what they estimated would be the initial salary range of legal assistants with their firms. The responses to this question are presented in Table 12.

TABLE 12: ANTICIPATED STARTING SALARIES OF LEGAL ASSISTANTS, BY SIZE OF FIRM

Salary Range	Size of Firm: 1-2 lawyers n	%	3-5 lawyers n	%	6+ lawyers n	%	Total n	%
$6,000 or less	25	19.2%	22	14.8%	2	3.0%	49	14.2%
$6,001 to $7,500	45	34.6	44	29.5	12	17.9	101	29.2
$7,501 to $9,000	44	33.8	59	39.6	39	58.2	142	41.0
$9,901 to $11,000	16	12.3	24	16.1	12	17.9	52	15.0
$11,001 or above	0	0.0	0	0.0	2	3.0	2	0.6

More than forty percent of the respondents expected that the starting salary of a legal assistant with their law firm would be between $7,501 and $9,000, with 43 percent falling below this range and sixteen percent responding above it. The data clearly indicate that there is a tendency for larger firms, more often located in urban areas, to pay higher salaries than small firms.

* * * * *

The critical factor in assessing the need for personnel in an emerging occupation is not the mere interest in the field but in the actual number of people who might be hired to the occupation over a period of time. We asked the respondents whether they actually anticipated seeking a legal assistant within the next four years. The responses to this question are presented in Table 13.

TABLE 13: LAW FIRMS EXPECTING TO SEEK A LEGAL ASSISTANT WITHIN THE NEXT FOUR YEARS, BY SIZE OF FIRM

Expectation	Size of Firm: 1-2 lawyers n	%	3-5 lawyers n	%	6+ lawyers n	%	Total n	%
Anticipate seeking legal assistant	28	13.6%	47	22.5%	36	43.9%	111	22.3%
Do not anticipate seeking legal assistant*	116	56.3	91	43.5	27	32.9	234	47.1
Undecided	62	30.1	71	34.0	19	23.2	152	30.6

*Includes those recorded in Table 7 as having indicated no interest in hiring a legal assistant.

Nearly one quarter of all the respondents anticipated seeking at least one legal assistant over the next four years. Approximately 31 percent were still undecided concerning this matter and 47 percent indicated that they definitely did not expect to seek a legal assistant. Overall, a sizable minority of law firms appeared to be ready to employ legal assistants, with an even larger minority as yet undecided.

* * * * *

TABLE 14: FIRMS EXPECTING TO HIRE LEGAL ASSISTANTS IN INDIANA, EXTRAPOLATED* BY REGION**

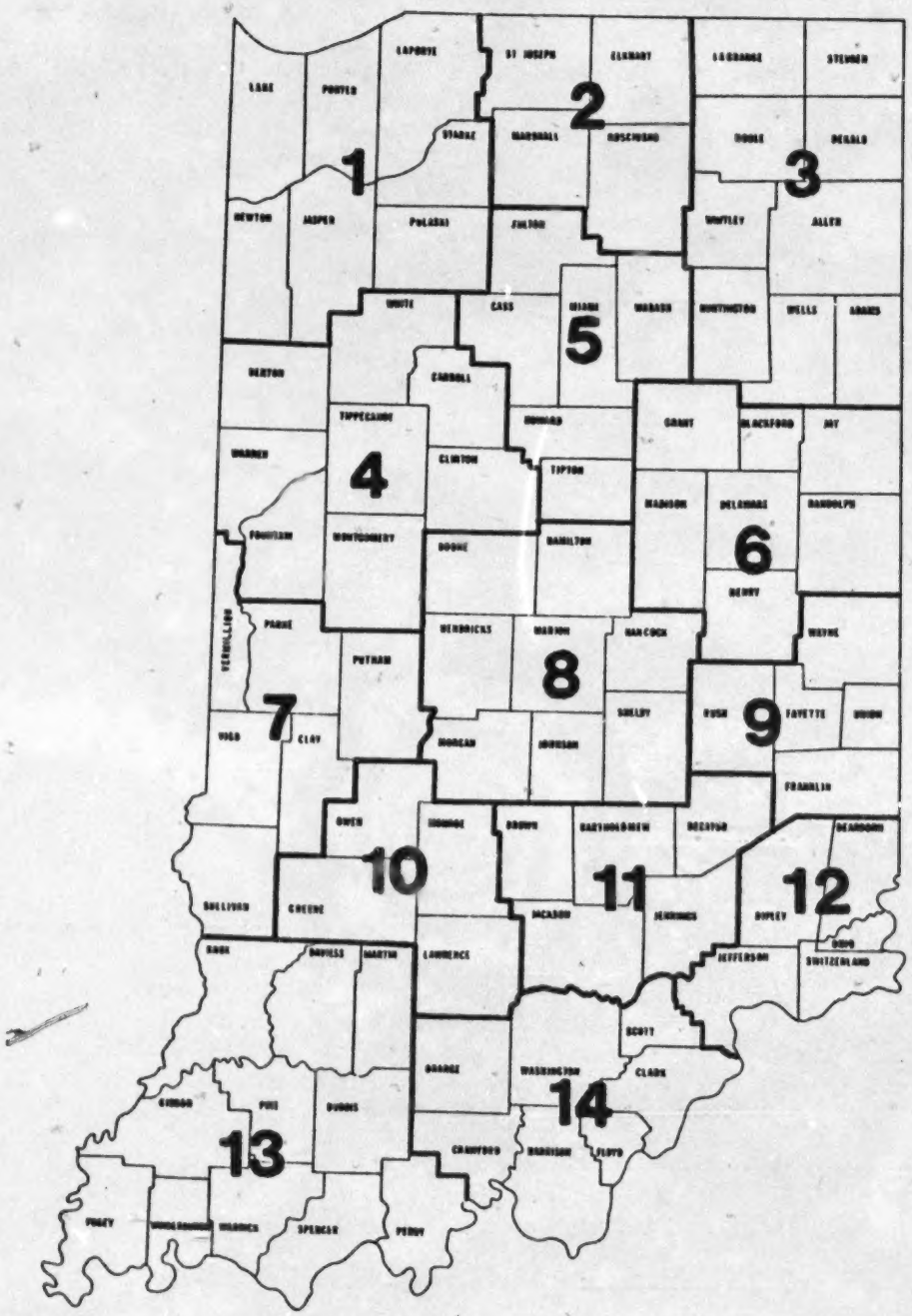
Region	1 Total number of firms	2 Number of survey respondents	3 Respondents expecting to hire legal ass't	4 Total expecting to hire (extrapolation) n	 % of Column 1
One	122	62	18	35	28.6
Two	66	31	5	11	16.7
Three	90	53	12	20	22.2
Four	48	27	7	12	25.0
Five	42	22	4	8	19.0
Six	78	46	5	8	10.3
Seven	30	16	2	4	13.3
Eight	262	147	41	73	27.9
Nine	26	15	2	3	11.5
Ten	23	7	1	3	13.0
Eleven	21	14	3	5	23.8
Twelve	17	9	2	4	23.5
Thirteen	62	41	6	9	14.5
Fourteen	27	14	3	6	22.2
Total	914	504	111	202	22.1

*For each Region, extrapolation is calculated by the method $\frac{\text{Column 1}}{\text{Column 2}} \times \text{Column 3} = \text{Column 4}$

**For map of Indiana's Planning and Development Regions, see Figure 1, Page 19.

Table 14 represents an extrapolation, by Region, of all of Indiana's listed law firms which might currently expect to hire a legal assistant within the next few years. As can be seen, the greatest actual demand for legal assistants would appear to be across the northern third of the state and in Region 8, which is the Indianapolis area.

FIGURE 1: INDIANA'S PLANNING AND DEVELOPMENT REGIONS



SUMMARY AND CONCLUSIONS

It is apparent that the greatest interest in the hiring of legal assistants currently exists in larger firms which are generally located in urban areas. Numerous respondents from smaller firms commented that they supported the concept of legal assistants taking minor routine duties from the lawyers themselves, but that such a practice would be economical only in a larger firm where an assistant could serve a number of lawyers. However, as was noted in Table 8 above, small firms also perceive themselves as realizing benefits from the utilization of legal assistants once they make the commitment to hiring them.

If half of those who report themselves undecided concerning the hiring of a legal assistant within four years decide to do so, approximately forty percent of the law firms in Indiana may soon be seeking legal assistants. With approximately nine hundred such firms listed, there may be a demand for as many as one hundred legal assistants per year within Indiana for a number of years. Beyond such a short-range assessment, the demand for legal assistants will depend upon such factors as further acceptance by the legal profession and the average number of years a legal assistant stays in his/her job.

Educational preferences of law firms for the people they hire as legal assistants vary. Where some will seek individuals with a bachelor's or higher degrees, other will seek associate degree recipients, and some will probably continue to upgrade the skills of legal secretaries to those of legal assistants by means of on-the-job training.

Tables 13 and 14 indicate that there is a genuine demand for legal assistants which could support additional educational programs within the state. However, the newness of this occupational field should dictate a cautious expansion of programs until experience on job placement is gained.

* * * * *

APPENDIX A
DEMAND FOR LEGAL ASSISTANTS QUESTIONNAIRE

VAN P. SMITH
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STATE OF INDIANA
COMMISSION FOR HIGHER EDUCATION
143 WEST MARKET STREET
INDIANAPOLIS, INDIANA 46204
317-633-6474

DR. RICHARD D. GIBB
COMMISSIONER

Dear Sir/Madam:

The Indiana Commission for Higher Education is a state agency responsible for the coordination of public post-secondary education institutions in the state, and is charged to take the private institutions' resources into account in its planning. The Commission is currently conducting a college-level manpower study, funded by the Lilly Endowment, in an effort to acquire up-to-date information of value in program planning. One of the objectives of this study is to assess statewide demand for people trained in certain occupations related to postsecondary education.

The occupation of legal assistant is one for which very little manpower demand data are available. We do not know the degree to which law firms in Indiana would like to employ legal assistants or the level and type of education and training preferred for entrants to this occupation. In order to acquire these types of data we are conducting a questionnaire survey of a large number of Indiana's law firms.

The enclosed questionnaire has been developed with the cooperation of the Indiana State Bar Association. The findings of the study should be important in the development of this occupation in Indiana.

In order for the findings of the study to be reliable, a high rate of response to the questionnaire is of crucial importance. It should take no more than fifteen minutes of your time to complete the questionnaire and your responses will be greatly appreciated. Would you please complete the questionnaire and return it in the enclosed stamped, self-addressed envelope within one week.

Thank you for your cooperation.

Sincerely,

Robert M. Greenberg, Ed.D.
Project Director - Manpower

DEMAND FOR LEGAL ASSISTANTS IN INDIANA

This study deals with *LEGAL ASSISTANTS* as distinguished from *LEGAL SECRETARIES*. The American Bar Association Special Committee on Legal Assistants has defined this occupation as follows:

> *Under the supervision and direction of the lawyer, the legal assistant should be able to apply knowledge of law and legal procedures in rendering direct assistance to lawyers engaged in legal research; design, develop, or plan modifications of new procedures, techniques, services, processes or applications; prepare or interpret legal documents and write detailed procedures for practicing in certain fields of law; select, compile, and use technical information from such references as digests, encyclopedias or practice manuals; and analyze and follow procedural problems that involve independent decisions.*

The legal secretary, on the other hand, is defined as follows:

> *The legal secretary should be prepared to take dictation (machine and/or shorthand); prepare fee and disbursement statements; prepare appropriate documents; keep books and records; and serve as receptionist.*

---

1. How many individuals are employed full-time in your firm at this location in each of the following occupations?

___a. Full-time lawyer
___b. Full-time legal secretary
___c. Full-time legal assistant
___d. Combination of duties of b and c above
___e. Other (specify) _____

2. Please indicate the extent to which you agree with each of the following statements by circling the appropriate number.

	Strongly Agree	Agree	Disagree	Strongly Disagree
a. A good legal secretary can do about anything a legal assistant can do.	1	2	3	4
b. Hiring of legal assistants will result in fewer employment opportunities for new law school graduates.	1	2	3	4
c. Many more law firms will be using legal assistants in the next few years.	1	2	3	4
d. Effective use of legal assistants reduces the cost of legal services.	1	2	3	4

If you do not currently employ a full-time legal assistant, please answer question 3.
If you do employ at least one full-time legal assistant, please answer question 4.
All respondents then continue with question 5.

---

3. Would you consider hiring a legal assistant if an appropriately trained person were available?

___Yes (continue to question 5)
___Undecided (continue to question 5)
___No (Thank you. You have completed the questionnaire. Please return it to us in the enclosed envelope).

4. In general, our firm has found the utilization of legal assistants to be

___a. highly beneficial
___b. beneficial
___c. not beneficial

5. How desirable do you consider each of the following educational or training backgrounds for a person seeking employment with your firm as a legal assistant? Please rate each background from 1 to 4 according to the following code:

1 = highly desirable
2 = desirable
3 = would consider, but not really desirable
4 = would not be hired with this background

___a. A high school graduate for whom you would provide training.
___b. A legal secretary whom you would train.
___c. An associate (two-year college) degree recipient (not in legal assisting) for whom you would provide training.
___d. A graduate of a two-year college program in legal assisting.
___e. A bachelor's degree recipient (not in legal assisting) for whom you would provide training.
___f. A graduate of a four-year college program in legal assisting.
___g. A graduate of a post-baccalaureate program in legal assisting of one year or less in duration.

6. In the (potential) activities of a legal assistant with your firm, how important do you consider each of the following tasks? Please rate each task from 1 to 4 according to the following code:

1 = high importance
2 = moderate importance
3 = low importance
4 = would not perform this task

___Type
___Maintain law library
___Notify clients of actions taken
___Do office filing
___Prepare briefs and pleadings
___Docket
___Train nonattorney staff
___Prepare office memoranda
___Operate office machines
___Appear for client in court
___Search and check public records
___Contact client for information
___Prepare fee & disbursement statements
___Drafts wills, deeds and trusts
___Plan installation & operation of office machinery
___Prepare probate inventories & inheritance & Federal estate tax returns
___Notify clients of approaching deadlines
___Serve papers
___File motions
___Shepardize
___Hire & supervise nonattorney staff
___Tax work
___Compile & select citations
___Index documents & prepare digests
___Conduct initial interviews with clients
___Take dictation
___Investigations
___Develop & implement office procedure
___File papers
___Receptionist
___Make arrangements for hearings and depositions

7. Please indicate your opinion concerning the importance of each of the following characteristics of an applicant for a position as a legal assistant with your firm by rating each characteristic from 1 to 4 according to the following scale:

1 = high importance
2 = moderate importance
3 = low importance
4 = of no concern

___Ability to understand legal terminology and procedures
___Interviewing skills
___Knowledge of bookkeeping
___At least some college or vocational school
___Intent to make a career as a legal assistant
___Facility in speaking
___Legal secretary experience
___Interest in people
___Writing skills
___Understanding of the legal process
___Secretarial skills

8. What do you estimate to be the initial starting salary range of a legal assistant with your firm?

___a. $6,000/year or less
___b. $6,001-$7,500/year
___c. $7,501-$9,000/year
___d. $9,001-$11,000/year
___e. More than $11,000/year

9. Do you anticipate seeking a legal assistant within the next four years?

___Yes
___No
___Undecided

If "Yes", how many do you hope to hire?_____

General Comments:_____

_____

_____

_____

If you would like to receive a copy of the findings of this survey, include your name and address below.

Name_____

Address_____

_____

Thank you for completing this questionnaire. Please return it to us promptly in the enclosed, stamped, self-addressed envelope.

Office Use Only